

March 3, 2004

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:03 p.m. on Wednesday, March 3, 2004, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Horwich.

**3. ROLL CALL**

Present: Commissioners Botello, Faulk, Horwich, LaBouff, Muratsuchi, Uchima and Chairperson Drevno.

Absent: None.

Also Present: Planning Manager Isomoto, Planning Associate Crecy, Assistant City Attorney Pohl, Fire Marshal Carter, Associate Civil Engineer Symons and Building Regulations Administrator Segovia.

**4. POSTING OF THE AGENDA**

**MOTION:** Commissioner Botello, seconded by Commissioner Horwich, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Muratsuchi moved for the approval of the February 4, 2004 Planning Commission minutes as submitted. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote, with Commissioner Faulk abstaining.

**6. REQUESTS FOR POSTPONEMENTS**

None.

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Chairperson Drevno explained the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

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**7. CONTINUED HEARINGS**

Commissioner Botello announced that he was abstaining from consideration of Items 7A and 7B because he was not present at the original hearing and the tapes from the meeting were not available and exited the dais.

**7A. PRE03-00034: SCOTT PROBST (MILES PRITZKAT)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-floor additions to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 417 Avenida de Jose.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of correspondence from Mr. and Mrs. Leach, 322 Calle de Arboles, requesting that a condition be included requiring the removal of the street tree (per agreement with Mr. Probst) prior to the issuance of a building permit.

Miles Pritzkat, project architect, voiced his agreement with the recommended conditions of approval and to the condition proposed by the Leaches.

**MOTION:** Commissioner Uchima, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Uchima moved for the approval of PRE03-00034, as conditioned, including all findings of fact set forth by staff, with the added condition that the street tree adjacent to the property shall be removed prior to the issuance of building permits. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote, with Commissioner Botello abstaining.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-002.

**MOTION:** Commissioner Uchima moved for the adoption of Resolution No. 02-002 as amended. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote, with Commissioner Botello abstaining.

**7B. PRE03-00017: BRUNO BONDANELLI (EUGENE ALLEN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing single-family residence including the incorporation of a Waiver to allow the retention of an existing side yard setback on property located in the Hillside Overlay District in the R-1 Zone at 131 Camino de las Colinas.

Considered later in the meeting as no representative was present at this time, see pages 6-9.

Commissioner Botello returned to the dais.

**7C. CUP03-00050, DIV03-00020: WILL BASILIO (CLARA CUPERY)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-3 Zone at 1215 Portola Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Will Basilio, project architect, reviewed the revised elevations, which were modified in accordance with the Commission's direction at the previous Commission meeting to add architectural elements to make the project more compatible with the neighborhood. He voiced his agreement with the recommended conditions of approval.

Judy Weber, 716 Border Avenue, expressed concerns about condominium projects recently approved in the area, which have disrupted the continuity of old Torrance. She maintained that it was important to preserve the existing building on this site, which was built in 1907.

Brenda Kulp, 1221 Portola, contended that the proposed condominium project would decrease the value of her property, explaining that people buy property in old Torrance because of the timeless appeal of the 1920-30's architecture, and they have an expectation that this look will be retained. Conceding that a few of the buildings on this block are out of character, she stated that this is not a look residents want to perpetuate. She further stated that she did not want to deprive the applicant of her right to develop the property, but wanted it done in a way that will not be detrimental to the neighborhood. She noted that the question was posed at the last meeting as to whether it was preferable to have rentals or condominiums and indicated that she had no complaints about renters, however, she did object to the destruction of historical structures and their replacement with higher density residences.

Raymie McCoy, 1918 W. 220<sup>th</sup> Street, stated that he moved to Torrance because of its quaintness and charm, but was concerned that over-development was increasing traffic and parking problems and destroying the look and character of the neighborhood. He maintained that there should be more control over the issuance of Conditional Use Permits and that the subdividing of lots should not be allowed.

John Sullivan, 2121 Gramercy Avenue, related his understanding that approximately 1700 condominium units were approved in Torrance in 2003 and over 40% of them were in the 90501 zip code. He questioned whether the impact on traffic, schools, hospitals, and emergency services was considered when these projects were approved.

Commissioner Faulk assured Mr. Sullivan that that development was not being done haphazardly and that these issues are considered when projects are brought

forward. He noted that the City has a General Plan, a document that addresses the overall development of the City, and encouraged those interested to review it.

Nina McCoy, 1918 W. 220<sup>th</sup> Street, stated that she thought it was important to preserve historic old Torrance and believed the time had come to include a historical district in the City's General Plan.

Bonnie Mae Barnard, 2028 Gramercy Avenue, representing Save Historic Old Torrance, read a letter from a neighbor in opposition to the project.

Referring to material distributed to Commissioners, Ms. Barnard reported that according to information taken from the City's website, 34 condominium projects/1718 units were approved in 2003; that of these, 15 projects/728 units were in the 90501 zip code or 44%; and that the resulting population increase based on two people per unit would be 1456 people or 2184 based on three people per unit.

Ms. Barnard stated that this activity has residents very concerned because it is changing a historic area, which she characterized as the City's "birth certificate." She stated that the project before the Commission would destroy another historic home; requested the Commission's assistance in preserving the City's history; and urged that the splitting of the lot not be allowed. She expressed skepticism about the applicant's claim that she was building one unit for herself and one for her son, noting that she has learned that Ms. Cupery owns properties in other areas, including a house in Redondo Beach.

Commissioner Horwich stated that while he was impressed with Ms. Barnard's efforts, he felt that the figures she presented were somewhat misleading because at least some of condominium projects approved replaced existing residences. He noted that in this case, two units would be replacing an existing duplex. Ms. Barnard responded that the duplex being replaced was very small.

Noting that entitlements must be approved before condominiums may be built, Commissioner Botello pointed out that as part of the analysis, the Commission must take into consideration the integrity and character of the neighborhood. Referring to Resolution No. 04-016, he stated that he thought a case could be made that dividing the lot and building condominiums on this site was not consistent with the neighborhood; therefore, Findings D, F, G and K, which discuss the compatibility of the project, were not correct.

Commissioner Faulk noted that Ms. Barnard's objections to the project at the last meeting were based on the compatibility of the design with the neighborhood, however, at this meeting she seems to be opposed to the building of any condominiums in the downtown area.

Ms. Barnard responded that she was not opposed to condominiums per se, but condominiums and Conditional Use Permits go hand in hand and most projects for which CUPs were approved have not been compatible with the neighborhood.

Planning Manager Isomoto provided clarification regarding the list submitted by Ms. Barnard of condominium projects approved in 2003. She explained that the list posted on the City's website includes a number of categories, including projects with

applications pending, projects awaiting appeal hearings, projects underway, and projects that have been completed, so the figures provided by Ms. Barnard do not present an accurate picture. She noted that some of the projects listed were completed more than two years ago; that two large projects at the end of the list have not yet been brought forward; and that several projects in the 90501 zip code are not located in or near the downtown area.

Anita Hutchins Hall, 29005 Geronimo Drive, expressed the hope that Torrance would do something to preserve historic homes in the downtown area. Indicating that she is a schoolteacher, she reported that there has been a huge influx of students from multi-family housing and schools do not have the resources to handle them.

Clara Cupery, applicant, noted that the project could be built without Commission approval if the units were not condominiums because it meets all Code requirements; explained that none of the other properties she owns suit her needs; and indicated that it was her dream to build her own house and sell the second house to her son. Urging approval of the project, she stated that the existing structure is poorly constructed; that there are a variety of architectural styles on this block and several two-story duplexes; and that she did not believe it was fair for others to dictate what she does with her own property. She noted that the subject parcel is zoned R-3 and could be developed with three units.

Commissioner Botello asked about the project's compatibility with the neighborhood. Referring to photographs previously submitted, Ms. Cupery pointed out that there are commercial buildings across the street and two-story apartment buildings adjacent to the site and maintained that the project would only improve the appearance of the neighborhood.

In response to Commissioner Botello's inquiry, Planning Manager Isomoto reported that the proposed 20-foot setback is the same setback that currently exists on the property and is consistent with other houses on the block.

**MOTION:** Commissioner Horwich, seconded by Commissioner Uchima, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Horwich noted that it would be difficult if not impossible to tell whether the units were condominiums or rental units by looking at them and indicated that he was very much in favor of condominiums because they provide opportunities for first-time home buyers. Referring to Ms. Hall's comments, he pointed out that the Commission has been assured on numerous occasions that the school district can handle the new students being generated by condominium projects and that this two-unit project which replaces a duplex would have no impact on City services. Voicing support for the project, he stated that he believed the applicant had made a considerable effort to address the compatibility issue by revising the project's exterior. He noted that there is not now, and may never be a historical preservation district in downtown Torrance, and maintained that it would be unfair to ask this property owner to wait and see.

Commissioner Botello stated that neighbors had persuaded him that the proposed condominium project was not in keeping with the historic layout designed by Mr. Olmsted and that it would change the character of the neighborhood, therefore, he would not support the project.

In response to Chairperson Drevno's inquiry, Planning Manager Isomoto confirmed that three units could be built on this lot without Commission approval if all Code requirements were met.

Noting that the Planning Commission does not make the rules but is charged with interpreting and applying them, Commissioner Muratsuchi stated that while his heart was with those who wish to preserve old Torrance, he could not in good conscience deny Ms. Cupery the opportunity to develop her property when she has followed all the rules.

Commissioner LaBouff indicated that he would also support the project because the project meets all requirements.

**MOTION:** Commissioner Horwich moved for the approval of CUP03-00050, DIV03-00020, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Commissioner Botello dissenting.

Commissioner Faulk stated that he thought it would be a stretch to conclude that the existing building on this property was historic and merited preserving, however, he did not want his vote to be misconstrued as a vote against the preservation of the historic nature of old Torrance, which he believes is an admirable goal deserving of support.

The Commission, with input from Assistant City Attorney Pohl, briefly discussed the possibility of placing an item on the agenda regarding the exploration of ways to preserve the character of old Torrance.

Chairperson Drevno reported that she spent the previous Saturday driving around downtown Torrance and believes the area is incredibly charming, but agreed with Commissioner Faulk that calling the building on this property historic would be a stretch.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-016 and 04-017.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution Nos. 04-016 and 04-017. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Commissioner Botello dissenting.

The Commission recessed from 8:34 to 8:50 p.m.

**7B. PRE03-00017: BRUNO BONDANELLI (EUGENE ALLEN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing single-family residence including the incorporation of a Waiver to allow the retention of an existing side yard setback on property located in the Hillside Overlay District in the R-1 Zone at 131 Camino de las Colinas.

## **Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Bruno Bondanelli, project architect, briefly described the modifications made in response to concerns raised by neighbors at the last meeting, including reducing the size of windows in the master bath and bedroom; using frosted glass for the bathroom window and the lower portion of the master bedroom window; pushing back the second story toward the rear of the property; lowering the overall height by 1.4 feet; and changing from flat to sloped a portion of the second-story roof. He noted that in the process of revising the silhouette to reflect these modifications, it was discovered that the initial silhouette was erected two feet higher than the plans. He reported that he and the applicant met with neighbors to discuss the revisions and that neighbors to the north and south were still unhappy with the project but he felt their concerns had largely been addressed. Submitting plans to illustrate, he explained that Mr. Keller, 139 Camino de las Colinas, expressed a legitimate concern about the 20-foot long deck along the front of the house and the plans were subsequently revised, reducing the deck to a 7'5" balcony.

Dorothy Karfs, 338 Camino de las Colinas, commented on the changes the neighborhood has undergone in the 50 years she has lived there and voiced support for the project. She stated that she thought the proposed house was beautiful and appropriately sized for the large lot and that she was surprised that neighbors were opposed to it.

Gary Kirby, 143 Camino de las Colinas, submitted a flier showing houses sold in the Riviera area during the last six months of 2003 to demonstrate that the average home is significantly smaller than the proposed project. He maintained that the project was not consistent with the neighborhood and that it would have a cumulative adverse impact because of the domino effect. He stated that he was pleased that the size of the front deck had been reduced and asked to see a copy of the revised plans.

Robert Keller, 139 Camino de las Colinas, reported that his concerns have not been addressed to his satisfaction, explaining that his view obstruction, which was originally 60%, has been reduced to 20-25%, but that was still not acceptable. He suggested that the impact on his view could be eliminated if the structure were pushed back another 3-4 feet, enclosing the balcony at the rear of the house to make up for the lost square footage. He requested that the parapet wall facing his home be reduced from 18 to 6 inches because the extra 12 inches are non-functional; that the applicant be required to trim 180 square feet from the project in order to comply with Floor Area Ratio standards; and that the front deck be eliminated or changed to a small balcony due to privacy concerns.

Gary Weiss, 135 Camino de las Colinas, stated that he was disappointed with the compromise and felt that Dr. Allen had unnecessarily brought an attorney into the process to bolster his contention that he had worked with his neighbors. He indicated that he still had concerns about the impact on his view, light and privacy and the size and mass of the project. He reported that moving the project back to mitigate the impact on Mr. Keller's view had created more problems for him because the structure now

towers over his backyard and closes it in. He maintained that the frosted windows did little to address the privacy issue, noting that Dr. Allen would still be able to look down into his property through the upper half of the master bedroom window. He indicated his preference that the entire roof be gabled instead of the parapet on the south side. He voiced his opinion that the Hillside Overlay Ordinance should be strictly enforced and evenly applied for the betterment of everyone in the community.

Noting that he is an architect, Gary Alzona, 136 Camino de las Colinas, voiced support for the project, offering his opinion that it was consistent with the neighborhood and protects relevant views, which are to the northwest.

Steve Sucher, 127 Camino de las Colinas, expressed concerns about the project's impact on his light, air, and privacy, stating that while sloping the roof was a definite improvement, pushing the house back to accommodate Mr. Keller's view has exacerbated the problem. He urged the Commission to enforce the Hillside Ordinance and require the applicant to scale down the project to an FAR of .50.

Eugene Allen, 131 Camino de las Colinas, applicant, apologized for his late arrival. He recounted the numerous revisions made in an attempt to address his neighbors' concerns; maintained that they were unreasonable and unwilling to compromise; and stated that he now believed it was impossible to satisfy them. He reported that after unsuccessful attempts to alleviate Mr. Sucher's concerns, he submitted an offer to buy the house Mr. Sucher is renting; therefore, he no longer felt there was any reason to discuss the project with him. He conceded that the original project was too large and too imposing, but voiced his opinion that the revised project would be an asset to the neighborhood.

Janet Trapp, legal counsel for Dr. Allen, explained that she was present at the meetings with neighbors in order to facilitate discussions and noted that Dr. Allen has made multiple changes and significant compromises in order to accommodate the concerns of his neighbors.

**MOTION:** Commissioner Faulk, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

At Commissioner Muratsuchi's request, Planning Manager Isomoto provided clarification regarding TMC §91.41.11, Limitation in Increase in Building Space Lot Coverage.

**MOTION:** Commissioner Faulk moved for the approval of PRE03-00017, as conditioned, including all findings of fact set forth by staff, per the revised plans submitted at the meeting. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (with Commissioner Botello abstaining).

Commenting on his vote, Commissioner Horwich stated that the applicant had made numerous changes, compromises and reductions in the magnitude of the project; that he thought it was a good project which had been improved by the revisions; and that while the FAR exceeded .50, he did not believe it would be materially detrimental or damaging to the neighborhood.



Commissioner Muratsuchi stated that he recognized that neighbors had raised some valid concerns, however, he believed Dr. Allen had captured the spirit of the Hillside Overlay Ordinance and made significant compromises. He voiced his opinion that the ordinance was not intended to impose strict limitations on what a person may do with his/her own property but rather to strike a balance between the interests of neighbors and the rights of property owners.

Indicating that she concurred with her colleagues, Chairperson Drevno stated that she appreciated what Dr. Allen had done and was pleased with the way the project turned out.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 03-148.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution No. 03-148 as amended. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote, with Commissioner Botello abstaining.

Commissioner Botello returned to the dais.

## **8. WAIVERS**

### **8A. WAV04-00001: CARLOS MADRID (ANTIONE RANDLE/THRESHOLD DESIGN)**

Planning Commission consideration for approval of a Waiver of the maximum height requirement in association with the construction of first and second-story additions to an existing two-story, single-family residence on property located in the R-1 Zone at 5132 Macafee Road.

#### **Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Antoine Randle, Threshold Design, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Uchima moved for the approval of WAV04-00001, as conditioned including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-018.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-018. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**9. FORMAL HEARINGS**

**9A. PRE03-00036, WAV03-00022: FRANK AND JOAN CITROWSKI (FRANK POLITEO)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing single-family residence and a Waiver to allow a reduction of the front and side yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 4095 Bluff Street.

**Recommendation**

Approval.

Frank Politeo, project architect, voiced his agreement with the recommended conditions of approval.

Steve Rushton, 4112 Via Lado, expressed support for the proposed project, stating that he thought it would improve the neighborhood and increase property values without impacting anyone's light or view.

**MOTION:** Commissioner Muratsuchi, seconded by Commissioner Faulk moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Muratsuchi moved for the approval of PRE03-00036 and WAV03-00022, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-019 and 04-020.

**MOTION:** Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-019 and 04-020. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

**9B. PRE03-00037: TODD AND ZOE HORTON**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 22215 Warmside Avenue.

Planning Associate Crecy introduced the request.

Todd Horton, 22215 Warmside Avenue, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Muratsuchi, seconded by Commissioner Faulk moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Uchima moved for the approval of PRE03-00037, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-021.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-021. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

**9C. CUP04-00003, DIV04-00002: SAHAB SANJAR (DHS & ASSOCIATES)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-2 Zone at 1740 Iris Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Steve Nazmi, Civil Engineer for the project, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Muratsuchi, seconded by Commissioner Faulk moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Horwich moved for the approval of CUP04-00003 and DIV04-00002, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-022 and 04-023.

**MOTION:** Commissioner Faulk moved for the adoption of Planning Commission Resolution Nos. 04-22 and 04-023. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**9D. CUP04-00001, DIV04-00001: TERRY AND JANICE FITZPATRICK (CHARLES BELAK-BERGER)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-2 Zone at 1315 Madrid Avenue.

## **Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Charles Belak-Berger, project architect, voiced his agreement with the recommended conditions of approval.

Judy Weber, 716 Border Avenue, urged denial of the proposed project because it would further compromise the area with buildings that do not fit with the Olmsted district formula in terms of mass and scale, stating that this area was designed for single-family homes. She suggested that the granting of Conditional Use Permits should be the exception and not the rule.

Planning Manager Isomoto clarified that the subject parcel is zoned R-2.

Don Barnard, 2028 Gramercy, expressed concerns about the domino effect of new construction in the downtown area, maintaining that Torrance was losing its history and needs to take a stand so that past mistakes are not be repeated. He stated that people need to be educated about the positive aspects of historic preservation, noting that many cities that have adopted preservation ordinances are very sought after places to live and home values have skyrocketed. He suggested that there are ways to build and still maintain the charm and character of the neighborhood and that it would be better for everyone if standards and guidelines were developed.

Commissioner Botello questioned whether having a driveway on Madrid was consistent with the neighborhood. Mr. Barnard stated that the existing house has a driveway and it would likely be modified to accommodate a double garage.

Commissioner Muratsuchi asked about the difference between this project and the one just approved on Iris Avenue (Item 9C). Mr. Barnard explained that the project on Iris is outside the boundaries of the original city designed by Olmsted, which are from Dominguez to Plaza del Amo and from Crenshaw to Western.

Commissioner Muratsuchi noted that there are guidelines and standards incorporated in the zoning code for the R-2 Zone which allows for the building of condominiums and that people have the expectation that they will be able to develop their property in this way. Mr. Barnard related his understanding that Code was developed 40 to 50 years ago when houses were smaller and two 800 square-foot homes could be placed on an R-2 a property with plenty of open space. He suggested that the property could still be developed by adding on to the back.

Commissioner Horwich asked for clarification of Mr. Barnard's objections to the project, noting that it is well within the standards for the R-2 Zone and in the absence of any historical preservation district, the Commission's hands were tied.

Mr. Barnard stated that he believed the property should remain as it is, which is three rental units. He suggested that if developers are allowed to come in and take away the City's history, there will be no way to show where we came from and people would have no desire to move here, because Torrance would be just like every other

city. He further stated that he thought the project would be detrimental in terms of architectural style and mass.

Planning Manager Isomoto clarified that the zoning ordinance was updated in 1989 and Floor Area Ratio standards were put into effect in an effort to reduce the bulk and mass of projects being built, so the idea that the standards were created 40 to 50 years ago was not correct.

Returning to the podium, Mr. Belak-Berger stated that he understood the importance of historical sites, but related his understanding that Frederick Olmsted was primarily a landscape architect. He indicated that he works very hard to design projects that are compatible with the community and that Torrance's guidelines are some of the best he has seen to regulate the bulkiness of structures. He briefly described the project, which would replace a small three-unit apartment building with two condominium units, and voiced his opinion that project is suitable for the neighborhood.

In response to Commissioner Botello's inquiry, Mr. Belak-Berger conceded that the applicant was proposing to subdivide one large lot into two separately owned lots, which is contrary to the way the area was designed by Mr. Olmsted.

Commissioner Muratsuchi asked if there are other condominiums on this block. Planning Manager Isomoto reported that, in addition to the condominiums being built next door, there are condominiums at 1231/1229 Madrid and a project approved at 1307 Madrid.

**MOTION:** Commissioner Botello, seconded by Commissioner Muratsuchi, moved to close the public hearing; voice vote reflected unanimous approval.

With regard to the historic preservation issue, Commissioner Muratsuchi stated that he felt compelled to approve the project because it meets all legal requirements, however, he had a nagging feeling that the City was losing something special.

Commissioner Botello stated that he believed if the Commission started denying Conditional Use Permits for condominium projects in the downtown area, the historic preservation issue would soon be resolved. He maintained that the Commission would be contributing to the problem if they continue to act in a piecemeal fashion, without any guidelines, and allow this area to fall apart. He noted that property owners do not have an automatic right to build condominiums and subdividing lots for separate ownership was not part of Olmsted's plan.

Chairperson Drevno indicated that she would have great difficulty denying this project after approving a similar project in the same area earlier this evening.

Planning Manager Isomoto clarified that the applicant was not proposing to divide the land but was proposing to divide the airspace rights to allow for two owners on the same parcel. She stated Mr. Olmsted designed a City with areas for commercial, industrial, and residential uses and that no one knows for certain what he had in mind for this block of Madrid, i.e. whether it was meant for apartments, multi-family residences, or some other type of residential development.

In response to Commissioner Horwich's inquiry, Planning Manager Isomoto confirmed that two rental units could be built on this parcel with a fence between them, the same as the proposed condominiums. She noted that part of the reason for the fence is the City's requirement for private open space.

Commissioner Horwich stated that he empathized with the strong feelings of those who would like to preserve what they believe to be a historic area, but felt that the Commission did not have the right to delay a request that meets all legal requirements.

**MOTION:** Commissioner Horwich moved for the approval of CUP04-00001 and DIV04-00001, as conditioned including all findings of fact set forth by staff. The motion was seconded by Commissioner LaBouff and passed by a 5-2 roll call vote, with Commissioners Botello and Muratsuchi dissenting.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-024 and 04-025.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution Nos. 04-24 and 04-025. The motion was seconded by Commissioner Uchima and passed by a 5-2 roll call vote, with Commissioners Botello and Muratsuchi dissenting.

**10. RESOLUTIONS**

None.

**11. PUBLIC WORKSHOP ITEMS**

None.

**12. MISCELLANEOUS ITEMS**

None.

**13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

Planning Manager Isomoto reviewed recent City Council on Planning matters, noting that at the February 24 Council meeting, the Council approved the condominium project on Newton Street, along with a Zone Change for the subject parcel and the office building next door, but rejected the Zone Change for the adjacent church at the church's request. She noted that the eight-unit condominium project on Border Avenue was approved at the same meeting, with the elimination of one of the units.

**14. TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Isomoto reviewed the tentative agenda for the Planning Commission meeting of March 17, 2004.

## **15. ORAL COMMUNICATIONS**

**15A.** Commissioner Horwich requested that an agenda item be brought forward for the Commission to discuss the feasibility of establishing a historical district in the downtown area and to consider whether or not a formal recommendation should be forwarded to the City Council.

A brief discussion ensued, and Assistant City Attorney Pohl noted that certain procedural issues would have to be resolved before the item could be placed on the agenda. Commissioner Botello suggested that it might be helpful to hold public workshops.

Commissioner Horwich commented that he believed there were two rational viewpoints with regard to the historic preservation issue; that proponents and opponents were becoming extremely frustrated; and that the Commission needed to find away to address this matter.

Commissioner Uchima agreed, stating that he would like to have something concrete that could be applied when considering future cases in this area.

**MOTION:** Commissioner Horwich moved to direct staff to prepare an agenda item for the Commission to consider the feasibility of establishing a historic district and to discuss whether or not a formal recommendation should be forwarded to the City Council. The motion was seconded by Commissioner Uchima; voice vote reflected unanimous approval.

**15B.** Alan Steven, 723 Border Avenue, acknowledged the difficult job Commissioners have and commended them for their efforts. He expressed an interest in developing his property on Border, and Planning Manager Isomoto offered to discuss the standards /requirements with Mr. Steven following the meeting.

## **16. ADJOURNMENT**

At 11:07 p.m., the meeting was adjourned to March 17, 2004, at 7:00 p.m.

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| Approved as Written<br>May 5, 2004<br>s/ Sue Herbers, City Clerk |
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